

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

RONALD CHILDERS and LAKEISHA CHILDERS,)	
)	Case No. 3:18-cv-252
)	
<i>Plaintiffs,</i>)	Judge Travis R. McDonough
)	
v.)	Magistrate Judge Debra C. Poplin
)	
DONALD GAGNE and)	
ONEIDA, TENNESSEE,)	
)	
<i>Defendants.</i>)	

ORDER

On May 20, 2020, United States Magistrate Judge Debra C. Poplin filed her report and recommendation (Doc. 99) pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). Magistrate Judge Poplin recommended that the Court grant in part and deny in part Plaintiffs Ronald Childers and Lakeisha Childers’s motion for default judgment against Defendant Donald Gagne (Doc. 88); adjudge that Defendant Gagne violated 42 U.S.C. § 1983 and committed assault and battery; award Plaintiff Lakeisha Childers \$100,000; award Plaintiff Ronald Childers \$200,000; and award post-judgment interest and the costs of this action. (Doc. 99, at 13.) Neither party filed objections to the Magistrate Judge’s report and recommendation.¹

¹ Magistrate Judge Poplin specifically advised the parties that they had fourteen days to object to the report and recommendation and that failure to do so would waive their right to appeal. (Doc. 99, at 13 n.5); *see* Fed. R. Civ. P. 72(b)(2); *see also* *Thomas v. Arn*, 474 U.S. 140, 148–51 (1985) (noting that “[i]t does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither

The Court has reviewed the report and recommendation, as well as the record, and agrees with Magistrate Judge Poplin's well-reasoned conclusions. Accordingly, the Court **ACCEPTS** and **ADOPTS** the report and recommendation (Doc. 99). The Court **GRANTS IN PART** and **DENIES IN PART** Plaintiffs' motion for default judgment against Defendant Donald Gagne (Doc. 88); **ADJUDGES** that Defendant Gagne violated 42 U.S.C. § 1983 and committed assault and battery; **AWARDS** Plaintiff Lakeisha Childers \$100,000; **AWARDS** Plaintiff Ronald Childers \$200,000; and **AWARDS** post-judgment interest and the costs of this action.

AN APPROPRIATE JUDGMENT WILL ENTER.

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE

party objects to those findings"). Even taking into account the three additional days for service provided by Fed. R. Civ. P. 6(d), the period to timely file any objections has expired.